



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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*21 October 2011*

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "76 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

# Contents of This Issue

<b>Acronyms</b>	<b>3</b>
<b>1.0 U.S. Federal Regulatory Review</b>	<b>4</b>
1.1 Federal Register Summary	4
1.2 Other News and Developments	8
1.2.1 Webinars and Online Training	8
1.3 NASA Regulatory Communication Working Group Updates	8
<b>2.0 State Regulatory Reviews</b>	<b>9</b>
2.1 Alabama State Regulatory Review	9
2.2 California State Regulatory Review	9
2.2.1 Scientific Review Panel on Caprolactam and Nickel	11
2.2.2 Revised Mobile Emissions Model	11
2.2.3 Carcinogen Identification Committee Decides to Pursue Listing of TDCPP	11
2.2.4 Carcinogen Identification Committee Prioritizes Twelve Chemicals for Future Consideration as Proposition 65 Carcinogens	11
2.2.5 California Air Districts Regulatory Review	12
2.2.5.1 Antelope Valley Air Quality Management District	12
2.2.5.2 Bay Area Air Quality Management District	12
2.2.5.3 Eastern Kern Air Pollution Control District	12
2.2.5.4 Mojave Desert Air Quality Management District	12
2.2.5.5 South Coast Air Quality Management District	12
2.2.5.6 Ventura County Air Pollution Control District	13
2.3 Florida State Regulatory Review	13
2.4 Louisiana State Regulatory Review	15
2.5 Maryland State Regulatory Review	15
2.6 Mississippi State Regulatory Review	16
2.7 New Mexico State Regulatory Review	16
2.8 Ohio State Regulatory Review	17
2.9 Texas State Regulatory Review	17
2.10 Utah State Regulatory Review	18
2.11 Virginia State Regulatory Review	18

## Acronyms

AB = Assembly Bill	LBSP = Land-based sources of pollution
ANSI = American National Standards Institute Engineers	LDEQ = Louisiana Department of Environmental Quality
AQ = Air quality	Md.R. = <i>Maryland Register</i>
ARB = Air Resources Board	NAAQS = National Ambient Air Quality Standards
ASHRAE = American Society of Heating, Refrigerating and Air-Conditioning	NASA = National Aeronautics and Space Administration
ASME = American Society of Mechanical Engineers	NEPA = National Environmental Policy Act
CAA = Clean Air Act	NESHAP = National Emission Standards for Hazardous Air Pollutants
CAIR = Clean air Interstate Rule	NETI = National Enforcement Training Institute
CEC = California Energy Commission	NMFS = National Marine Fisheries Service
CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act	NO <sub>x</sub> = Nitrogen oxides
CCR = <i>California Code of Regulations</i>	NPDES = National Pollutant Discharge Elimination System
CFR = <i>Code of Federal Regulations</i>	OAC = Ohio Administrative Code
CIC = Carcinogen Identification Committee	OAR = Office of Oceanic and Atmospheric Research
CO <sub>2</sub> = Carbon dioxide	OEPA = Ohio Environmental Protection Agency
COMAR = <i>Code of Maryland Regulations</i>	OEHA = Office of Environmental Health Hazard Assessment
CRNR = California Regulatory Notice Register	OSHSB = Occupational Safety and Health Standards Board
CTG = Control techniques guidelines	PCAST = President's Council of Advisors on Science and Technology
CUP = Consumptive use permit	PM = Particulate matter
CWA = Clean Water Act	PM <sub>2.5</sub> = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
2,4-D = 2,4-Dichlorophenoxyacetic acid	PSD = Prevention of significant deterioration
DAPC = Division of Air Pollution Control	PTE = Potential to emit
DOE = Department of Energy	R&D = Research and development
DPS = Distinct population segment	RACT = Reasonably available control technology
DSW = Division of Surface Water	RCRA = Resource Conservation and Recovery Act
EA = Environmental Assessment	REL = Recommended exposure limit
EIS = Environmental Impact Statement	RIN = Regulatory Identification Number
EMFAC = Emission Factors	ROC = Reactive organic compound
EPA = U.S. Environmental Protection Agency	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EPCRA = Emergency Planning and Community Right-to- Know Act	SERC = State emergency response commission
EKAPCD = Eastern Kern Air Pollution Control District	SFBCDC = San Francisco Bay Conservation and Development Commission
ESA = Endangered Species Act	SIP = State Implementation Plan
F.A.C. = Florida Administrative Code	SJRWMD = St. Johns River Water Management District
FAR = Federal Acquisition Regulation	SNUR = Significant New Use Rule
FAW = Florida Administrative Weekly	SO <sub>2</sub> = Sulfur dioxide
FDEP = Florida Department of Environmental Protection	SWRCB = State Water Resources Control Board
FIFRA = Federal Insecticide, Fungicide, and Rodenticide Act	TDCPP = Tris(1,3-dichloro-2-propyl)phosphate
FIP = Federal Implementation Plan	TMDL = Total maximum daily load
FR = <i>Federal Register</i>	TSCA = Toxic Substances Control Act
FY = Fiscal year	U.S. = United States
FWRMC - Florida Water Resources Monitoring Council	USDA = U.S. Department of Agriculture
GHG = Greenhouse gas	VA.R. = <i>Virginia Register</i>
g/L = Gram per liter	VAC = Virginia Administrative Code
GSA = General Services Administration	VOC = Volatile organic compound
GSFC = Goddard Space Flight Center	VCAPCD = Ventura County Air Pollution Control District
HFO-1234yf = 2,3,3,3-Tetrafluoropropene	WFF = Wallops Flight Facility
HFO-1234ze = trans-1,3,3,3-Tetrafluoropropene	
HPV - High production volume	
IESNA = Illuminating Engineering Society of North America	
KSC = Kennedy Space Center	
LAC = Louisiana Administrative Code	

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED102111-1	Acquisition	10/14/2011	<a href="#">76 FR 63896</a>	Proposed Rule	<p>Department of Defense; General Services Administration; National Aeronautics and Space Administration</p> <p>Federal Acquisition Regulation; Privacy Training, 2010-013 [48 CFR Parts 24 and 52]</p> <p>Proposes to amend the FAR to require contractors to complete training that addresses the protection of privacy and the handling and safeguarding of personally identifiable information. Comments due 12/13/2011. [RIN 9000-AM02]</p>	
FED102111-2	Air FIPs-PM and Ozone	10/11/2011	<a href="#">76 FR 63251</a>	Notice Hearing	<p>U.S. Environmental Protection Agency</p> <p>Revisions to Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone [40 CFR Parts 52 and 97]</p> <p>Announces a public hearing to discuss the proposed rule, "<a href="#">Revisions to the Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone</a>." Hearing is scheduled for 10/28/2011 in Washington, D.C. [RIN 2060-AR22]</p>	
FED102111-3	Air GHGs	10/17/2011	<a href="#">76 FR 64010</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Special Rules Governing Certain Information Obtained Under the Clean Air Act: Technical Correction [40 CFR Part 2]</p> <p>Direct final action corrects an erroneous reference in EPA's procedures for handling data required under the Mandatory Greenhouse Gas Reporting Rule, which are provided in the Special Rules Governing Certain Information Obtained Under the CAA. This correction does not change any requirements for entities regulated under the Mandatory Greenhouse Gas Reporting Rule or the final confidentiality determinations that EPA has made for such data. Effective 12/01/2011. Comments due 11/16/2011.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED102111-4	Air VOCs	10/17/2011	<a href="#">76 FR 64059</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Air Quality: Revision to Definition of Volatile Organic Compounds--Exclusion of trans-1,3,3,3-tetrafluoropropene and 2,3,3,3-tetrafluoropropene [40 CFR Part 51]</p> <p>Proposes to revise the definition of VOCs for purposes of preparing SIPs to attain Ozone NAAQS. This proposed revision would add HFO-1234yf and HFO-1234ze to the list of compounds excluded from the definition of VOC on the basis that these compounds make a negligible contribution to tropospheric ozone formation. Comments due 11/16/2011. [RIN 2060-AQ38]</p> <p><b>Addition of these substances to the list of excluded compounds means that they may be used as solvents but need not be counted as VOCs. Thus, these substances could be additional options to reduce VOC content of formulated materials such as cleaners and coatings.</b></p>	<a href="#">NASA Programs and Facilities</a> should be aware of this proposal.
FED102111-5	Climate	10/10/2011	<a href="#">76 FR 62777</a>	Notice Workshop	<p>National Oceanic and Atmospheric Administration</p> <p>Forum--Trends and Causes of Observed Changes in Heat Waves, Cold Waves, Floods and Drought</p> <p>Announces a forum to address observed changes and their causes with regard to specific types of extreme weather and climate events, including heat waves, cold waves, floods, and drought. Forum <a href="#">agenda</a> is available for review. Forum is scheduled for 11/08/2011 through 11/10/2011 in Asheville, North Carolina. Comments due 10/25/2011.</p>	
FED102111-6	Climate Research	10/18/2011	<a href="#">76 FR 64327</a>	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>Office of Oceanic and Atmospheric Research Draft Strategic Plan</p> <p>Announces that <a href="#">OAR's draft Strategic Plan (FY 12-18)</a> is available for public review and comment. The draft incorporates OAR's mission and vision, and characterizes its goals and objectives over the next 6 years. These goals and objectives will provide guidance and strategic direction for program and laboratory planning. Comments due 11/11/2011.</p>	
FED102111-7	Energy Biomass	10/13/2011	<a href="#">76 FR 63614</a>	Notice Meeting	<p>Energy Efficiency and Renewable Energy</p> <p>Biomass Research and Development Technical Advisory Committee</p> <p>Announces a meeting to discuss the following tentative agenda items:</p> <ul style="list-style-type: none"> <li>▪ Update on USDA Biomass R&amp;D Activities</li> <li>▪ Update on DOE Biomass R&amp;D Activities</li> <li>▪ Presentation on Current Biomass Solicitation Processes</li> <li>▪ Presentation on the Defense Production Act Title III</li> <li>▪ Technology for Advanced Drop-in Biofuels Production</li> <li>▪ Presentation on the National Biofuels Action Plan</li> </ul> <p>Meeting is scheduled for 11/08/2011 and 11/09/2011 in Washington, D.C.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED102111-8	Energy Building Standards	10/19/2011	<a href="#">76 FR 64904</a>	Notice	<p>U.S. Department of Energy</p> <p>Building Energy Standards Program: Final Determination Regarding Energy Efficiency Improvements in the Energy Standard for Buildings, Except Low-Rise Residential Buildings, ANSI/ASHRAE/IESNA Standard 90.1-2010</p> <p>Determines the following:</p> <ul style="list-style-type: none"> <li>2010 edition of the Energy Standard for Buildings, Except Low-Rise Residential Buildings, ANSI/ASHRAE IESNA Standard 90.1-2010 would achieve greater energy efficiency in buildings subject to the code, than would the 2007 edition</li> <li>Quantitative analysis of the energy consumption of buildings built to Standard 90.1-2010, compared with buildings built to Standard 90.1-2007, indicates national source energy savings of approximately 18.2-percent of commercial building energy consumption</li> <li>Site energy savings are estimated to be approximately 18.5 percent</li> </ul> <p>States must certify by 10/18/2013 that they have reviewed their commercial building code regarding energy efficiency, and as necessary, updated their code to meet or exceed Standard 90.1-2010. [RIN 1904-AC42]</p>	<a href="#">NASA Facilities</a> should be aware of this determination.
FED102111-9	Energy NEPA	10/13/2011	<a href="#">76 FR 63763</a>	Final Rule	<p>U.S. Department of Energy</p> <p>National Environmental Policy Act Implementing Procedures [10 CFR Part 1021]</p> <p>Finalizes the following amendments to the DOE NEPA Implementing Procedures categorical exclusion provisions:</p> <ul style="list-style-type: none"> <li>Establish 20 new categorical exclusions</li> <li>Remove the following: <ul style="list-style-type: none"> <li>Two categorical exclusion categories</li> <li>One EA category</li> <li>Three EIS categories</li> </ul> </li> </ul> <p>Effective 11/14/2011. [RIN 1990-AA34]</p>	
FED102111-10	Fuels Testing	10/21/2011	<a href="#">76 FR 65382</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Regulation of Fuel and Fuel Additives: Alternative Test Method for Olefins in Gasoline [40 CFR Part 80]</p> <p>Finalizes a rule to allow refiners and laboratories to use an alternative test method for olefin content in gasoline. Rule will provide flexibility by allowing an additional test method for compliance measurement while maintaining environmental benefits achieved from fuels programs. Effective 11/21/2011. [RIN 2060-AP17]</p>	
FED102111-11	Nanotechnology	10/11/2011	<a href="#">76 FR 62871</a>	Notice Meeting	<p>Office of Science and Technology Policy</p> <p>President's Council of Advisors on Science and Technology Meeting</p> <p>Announces a meeting in which several agencies will provide an implementation status update of the recommendations made in <a href="#">PCAST's report on nanotechnology</a>. Meeting is scheduled for 11/02/2011 in Washington, D.C.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED102111-12	Sustainability Green Building	10/21/2011	<a href="#">76 FR 65511</a>	Notice Meeting	General Services Administration Office of Government-wide Policy; Office of Federal High-Performance Green Buildings; the Green Building Advisory Committee Notification of Upcoming Public Advisory Meeting  Announces a meeting to discuss the following agenda items: <ul style="list-style-type: none"> <li>Introduction to GSA's Office of Federal High-Performance Green Buildings</li> <li>Strategic partnerships for sustainable federal buildings</li> <li>Project discussions: <ul style="list-style-type: none"> <li>Energy Research into Practice.</li> <li>High-Performance Green Building Demonstration Projects</li> </ul> </li> <li>National Research Council "Levers for Change" Report and Expert Meetings</li> <li>Green Building Certification Systems review</li> </ul> Meeting is scheduled for 11/09/2011 in Washington, D.C.	
FED102111-13	Toxic Substances	10/21/2011	<a href="#">76 FR 65385</a>	Final Rule	U.S. Environmental Protection Agency Testing of Certain High Production Volume Chemicals; Third Group of Chemicals [40 CFR Part 799]  Finalizes a rule to require manufacturers, importers, and processors to conduct testing to obtain screening level data for health and environmental effects and chemical fate for 15 HPV chemical substances. Effective 11/21/2011. [RIN 2070-AJ86]	
FED102111-14	Toxic Substances	10/21/2011	<a href="#">76 FR 65580</a>	Proposed Rule	U.S. Environmental Protection Agency Certain High Production Volume Chemicals; Test Rule and Significant New Use Rule; Fourth Group of Chemicals [40 CFR Parts 721 and 799]  Proposes the following: <ul style="list-style-type: none"> <li>Test rule to require manufacturers and processors of 23 HPV chemical substances to develop screening-level health, environmental, and fate data based on the potential for substantial exposures of workers and consumers to these chemicals</li> <li>SNUR for another 22 HPV chemical substances under TSCA</li> </ul> Comments due 01/19/2012. [RIN 2070-AJ66]	
FED102111-15	Toxic Substances Hydrogen Sulfide	10/17/2011	<a href="#">76 FR 64022</a>	Notice	U.S. Environmental Protection Agency Hydrogen Sulfide; Community Right-to-Know Toxic Chemical Release Reporting [40 CFR Part 372]  Announces lifting of the Administrative Stay of the EPCRA Section 313 toxic chemical release reporting requirements for hydrogen sulfide. Effective 10/17/2011, such that the first reports on hydrogen sulfide will be due on 07/01/2013 for reporting year 2012. [RIN 2025-AA27]	<a href="#">NASA TRI reporting personnel</a> should review this notice to determine applicability.
FED102111-16	Toxic Substances Phthalates	10/13/2011	<a href="#">76 FR 63610</a>	Notice Meeting	Consumer Product Safety Commission Notice of Meeting of Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes  Announces a meeting to study the effects on children's health of all phthalates and phthalate alternatives used in children's toys and child care articles. Meeting is scheduled for 11/02/2011 through 11/04/2011 in Bethesda, Maryland.	

## 1.2 Other News and Developments

### 1.2.1 Webinars and Online Training

EPA's National Enforcement Training Institute (NETI) provides various types of training to federal, state, local, tribal, and international government environmental personnel. NETI's website provides access to live webinars, an archive of recorded webinars, and online trainings pertaining to environmental compliance and enforcement.

The following lists upcoming live webinars:

- **4 November 2011:** Water-Current Developments and Challenges
- **2 December 2011:** Resource Conservation and Recovery Act (RCRA)-Cradle to Grave
- **15 December 2011:** Understanding the Uniform Environmental Covenants Act

Examples of courses that are available at any time on the NETI website include the following:

- **Environmental Statute Review Course:** Covers the basic provisions and enforcement authorities of seven environmental statutes (RCRA, CERCLA, CAA, CWA, EPCRA, TSCA, and FIFRA).
- **Introduction to Superfund Enforcement:** Outlines the objectives of the Superfund enforcement program. It provides an overview of the major components of the Superfund program and the usual sequencing of enforcement activities at remedial sites on the National Priorities List.
- **Training for Generators and Handlers of Fluorescent and Mercury-containing Lamps:** This course intends to satisfy the training requirement for universal waste generators.
- **Wastewater Sampling at Wastewater Treatment Plants:** Covers preparation and procedures for sampling at wastewater treatment plants.

## 1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 16 November



## 2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

### 2.1 Alabama State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Alabama.

### 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA102111-1	Air Vehicles-PM Filters	09/30/2011	<a href="#">ARB Website</a>	Notice	Air Resources Board Truck and Bus Regulation, In Use Off Road Vehicle Regulation, Solid Waste Collection Vehicle Regulation [AB 32]  Announces availability of <a href="#">guidance</a> on compliance timeline requirements for vehicle owners to update PM filters when the manufacturer recommends removal or no longer sells product. Engine owners will have 90 days or until 01/31/2012 to modify filters to meet compliance requirements. Filters will not be required during the replacement time period.	
CA102111-2	Energy Buildings	10/12/2011	<a href="#">CEC Website</a>	Notice	California Energy Commission 2013 Building Energy Efficiency Standards [24 CCR 1-6]  Announces proposed changes to the building energy efficiency standards for 2013. Proposed changes are available on the CEC <a href="#">website</a> . <a href="#">Reports</a> about nonresidential buildings also are available.	
CA102111-3	Occupational Safety	10/08/2011	<a href="#">OSHSB Website</a>	Notice Meeting	Occupational Safety and Health Standards Board Notice of Public Meeting  Announces a board meeting to discuss proposals on the following: <ul style="list-style-type: none"> <li>Construction Safety Orders</li> <li>General Industry Safety Orders</li> <li>Ship Building, Ship Repairing, Ship Breaking Safety Orders</li> <li>Petroleum Safety Orders</li> </ul> Meeting is scheduled for 11/17/2011 in Costa Mesa, California. Further information is available on the <a href="#">OSHSB website</a> .	
CA102111-4	Species Eulachon	10/20/2011	<a href="#">76 FR 65323</a>	Final Rule	National Oceanic and Atmospheric Administration Endangered and Threatened Species; Designation of Critical Habitat for the Southern Distinct Population Segment of Eulachon [50 CFR Part 226]  Designates 16 specific areas as critical habitat within California for the southern DPS of Pacific eulachon. Effective 12/19/2011.	<a href="#">Ames and Dryden</a> should be aware of this action.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA102111-5	Species Lost River Sucker and Shortnose Sucker	10/18/2011	<a href="#">76 FR 64372</a>	Notice	U.S. Fish and Wildlife Service  Endangered and Threatened Wildlife and Plants; Draft Revised Recovery Plan, First Revision, for Lost River Sucker and Shortnose Sucker [50 CFR Part 17]  Announces availability of the <a href="#">draft revised recovery plan, first revision</a> , for Lost River sucker and shortnose sucker under the ESA. Comments due 12/19/2011.	
CA102111-6	Species Tidewater Goby	10/19/2011	<a href="#">76 FR 64995</a>	Proposed Rule	U.S. Fish and Wildlife Service  Endangered and Threatened Wildlife and Plants; Designation of Revised Critical Habitat for the Tidewater Goby [50 CFR Part 17]  Proposes to revise critical habitat for the tidewater goby under the ESA. In total, approximately 12,157 acres are being proposed for designation as critical habitat. Proposed revised critical habitat is located in, but not limited to, Ventura and Los Angeles counties, California. Comments due by 12/19/2011.	
CA102111-7	Toxic Substances Biomonitoring Program	10/17/2011	<a href="#">OEHHA Website</a>	Notice Meeting	Office of Environmental Health Hazard Assessment  11/10/2011 Biomonitoring California Scientific Guidance Panel Meeting  Announces a meeting scheduled for 11/10/2011 in Sacramento, California. The agenda and materials related to the meeting are available on the <a href="#">OEHHA website</a> .	
CA102111-8	Toxic Substances Proposition 65–Hexavalent Chromium	10/21/2011	<a href="#">CRNR 2011, 42z, p. 1704</a>	Notice	Office of Environmental Health Hazard Assessment  Chromium 6, Exposure Amendment Section 25707, Route of Exposure [27 CCR 25707]  Extends previously published public comment period regarding the proposed rule to remove reference to hexavalent chromium as posing no significant risk when ingested. ( <a href="#">CRNR 2011, 37z, p. 1505</a> , 09/16/2011). Further information and proposed text are available on the <a href="#">OEHHA website</a> . Comments due 11/30/2011.	
CA102111-9	Toxic Substances Risk Assessment	10/21/2011	<a href="#">CRNR 2011, 42z, p. 1708</a>	Final Rule	Office of Environmental Health Hazard Assessment  Proposition 65–Quantitative Risk Assessment [27 CCR 25703(a)(6)]  Amends the calculation used to convert estimates of animal cancer potency to estimates of human cancer potency, which is used to calculate no significant risk levels for carcinogens listed under Proposition 65. Effective 11/11/2011.	<a href="#">Risk assessors in California</a> should be aware of this action.
CA102111-10	Water Bay Plan	10/14/2011	<a href="#">CRNR 2011, 41z, p. 1687</a>	Final Rule	San Francisco Bay Conservation and Development Commission  San Francisco Bay Plan [14 CCR 11900]  Amends San Francisco Bay Plan map 5 to change the boundary of the waterfront priority use area at Candlestick Point to match the boundary of the Candlestick Point State Recreation Area. Further information is available on the SFB CDC <a href="#">website</a> . Effective 09/28/2011.	
CA102111-11	Water Fees	09/19/2011	<a href="#">SWRCB Website</a>	Notice	State Water Resources Control Board  Waste Discharge Reports and Requirements Annual Fee Schedules [23 CCR 2200]  Announces adoption of new filing fees for Fiscal Year 2012-2013 fee schedule.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA102111-12	Water Fees	10/06/2011	<a href="#">SWRCB Website</a>	Notice	State Water Resources Control Board Filing Fees for Water Rights Application [23 CCR 1062], Filing Fees for Petitions or Requests; [23 CCR 1064], Annual Fees for Permits or Licenses; and [23 CCR 1066] Announces adoption of new filing fees for Fiscal Year 2012-2013 fee schedule.	

### 2.2.1 Scientific Review Panel on Caprolactam and Nickel

Scientific Review Panel regularly holds sessions to evaluate the risk assessments of substances proposed for identification as toxic air contaminants by the ARB, Office of Environmental Health Hazard Assessment, and Department of Pesticide Regulation. On 31 October 2011 in Sacramento, California, presentations on the 8-hour chronic acute RELs for caprolactam and for nickel and nickel compounds will be held. Written comments are accepted up to 30 October 2011. No verbal comments will be accepted at the presentation. Further details are available on the [Scientific Review Panel Website](#).

### 2.2.2 Revised Mobile Emissions Model

The ARB has released a revised version of the Emission FACTors (EMFAC) model to improve mobile source inventories. This release incorporates the latest air quality plans and regulations. On-road and off-road motor vehicles are covered in the EMFAC model. The model and documentation are available on the ARB [website](#).

### 2.2.3 Carcinogen Identification Committee Decides to Pursue Listing of TDCPP

At a 12 October 2011 meeting, the Office of Environmental Health Hazard Assessment's CIC voted 5-1 to recommend the listing of tris(1,3-dichloro-2-propyl)phosphate (TDCPP) as a Proposition 65 carcinogen. TDCPP is used as a flame retardant and plasticizer. Further information is available on the [CIC Meeting website](#).

### 2.2.4 Carcinogen Identification Committee Prioritizes Twelve Chemicals for Future Consideration as Proposition 65 Carcinogens

At a 12 October 2011 meeting, the Office of Environmental Health Hazard Assessment's CIC recommended the following chemicals or groups of chemicals as high priority for future consideration for listing as Proposition 65 Carcinogens:

- Acetaminophen
- Butyl benzyl phthalate
- C.I. Disperse Yellow 3
- Coumarin
- Dibenzanthracenes as a group
- Dibenz[a,c]anthracene as an individual chemical within the above group
- 2,4-Dichlorophenoxyacetic acid (2,4-D) and its Salts and Esters
- N-Methyl-n-nitroso-alkylamines as a group
- N-Methyl-n-nitroso-1-octanamine
- N-Methyl-n-nitroso-1-decanamine
- N-Methyl-n-nitroso-dodecanamine
- N-Methyl-nitroso-1-tetradecanamine (prioritized individually as part of the previously listed group, along with the three preceding chemicals)

Further information is available on the [CIC Meeting website](#).

## 2.2.5 California Air Districts Regulatory Review

### 2.2.5.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

### 2.2.5.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

### 2.2.5.3 Eastern Kern Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the [Eastern Kern Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAE102111-1	Air Permits	10/20/2011	<a href="#">EKAPCD Website</a>	Notice Workshop	<p>Eastern Kern Air Pollution Control District</p> <p>Permits to Operate for Sources Subject To Title V of the Federal Clean Air Act Amendments of 1990 [Rule 201.1], Synthetic Minor Source [Rule 201.2], Federally Enforceable Limits on Potential to Emit [Rule 201.3], Prevention of Significant Deterioration [Rule 201.4], Greenhouse Gas Fee [Rule 301.4]</p> <p>Announces a public workshop on the following proposed rule changes:</p> <ul style="list-style-type: none"> <li>Title V</li> <li>PSD</li> <li>Synthetic Minor</li> <li>PTE</li> <li>GHG Rules</li> </ul> <p>Changes to the permit rules incorporate GHG requirements of the Tailoring Rule and PSD requirements for delegation approval from EPA Region 9. <a href="#">Details</a> of proposed changes and staff reports for each rule are available for further review. Hearing is scheduled for 11/09/2011 in Rosamond, California. Comments due 12/09/2011.</p>	

### 2.2.5.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

### 2.2.5.5 South Coast Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [South Coast Air Quality Management District](#).

### 2.2.5.6 Ventura County Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV102111-1	Air Coatings	10/19/2011	<a href="#">VCAPCD Website</a>	Notice	Ventura County Air Pollution Control District Graphic Arts [Rule 74.19] Announces publication of a compliance assistance <a href="#">advisory notice</a> that describes reductions of graphic arts fountain solutions and solvent cleaner ROC limits that go into effect on 01/01/2012.	
CAV102111-2	Air Solvent Cleaning	10/21/2011	<a href="#">VCAPCD Website</a>	Notice Workshop	Ventura County Air Pollution Control District Aerospace Assembly and Component Manufacturing Operations [Rule 74.13], Adhesive and Sealants [Rule 74.20], Marine Coating Operations [Rule 74.24], Pleasure Craft Coating and Commercial Boatyard Operations [Rule 74.24.1] Announces a public workshop on proposed revisions to solvent cleaning requirements for ROC emissions. Primary change is to include a new ROC limit of 25 g/L in cleaning solvents used on the following: <ul style="list-style-type: none"> <li>▪ Surface preparation</li> <li>▪ Adhesive or coating cleanup</li> <li>▪ Spray equipment cleaning</li> </ul> Workshop is scheduled for 12/01/2011 in Ventura, California.	

## 2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL102111-1	Air PM and SO <sub>2</sub>	10/21/2011	<a href="#">FAW Notice #10520443</a>	Proposed Rule	Department of Environmental Protection Air Pollution Control for Particulate Matter and Sulfur Dioxide [Chapter 62-204.800 F.A.C.] Proposes amendments to update FDEP's adoption-by-reference of air pollution regulations promulgated by EPA at 40 CFR Parts 51, 52, 53 and 58 to incorporate federal requirements for regulation of PM and SO <sub>2</sub> . <a href="#">Proposed rule text</a> is available for review. Comments due 11/11/2011. Proposed effective date 12/01/2011.	
FL102111-2	Air SIP-Sulfur Storage and Handling	10/14/2011	<a href="#">FAW Notice #10502304</a>	Notice Hearing	Department of Environmental Protection Florida State Implementation Plan [Chapters 62-212.600 and 62-296.411 F.A.C.] Announces a public hearing to receive comments on proposed revisions to remove the following from the Florida's SIP but not from the F.A.C.: <ul style="list-style-type: none"> <li>▪ Rule 62-212.600, F.A.C., Sulfur Storage and Handling Facilities</li> <li>▪ Rule 62-296.411, F.A.C., Sulfur Storage and Handling Facilities</li> </ul> If requested, public hearing is scheduled for 11/16/2011 in Tallahassee, Florida. Comments due 11/14/2011.	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL102111-3	Water 303(d) List	10/21/2011	<a href="#">FAW Notice #10546924</a>	Notice Meeting	<p>Department of Environmental Protection</p> <p>Indian River Lagoon Basin Impaired Waterbodies [Chapter 62-303 F.A.C.]: Waters Proposed for Delisting from Florida's 303(d) List</p> <p>Announces a meeting to present the final lists of impaired waterbodies and water segments within the Indian River Lagoon basin pursuant to Chapter 62-303, F.A.C., and waters proposed for delisting from Florida's 303(d) list. Final lists will be placed on <a href="#">FDEP's website</a>. Meeting is scheduled for 11/02/2011 in Melbourne Beach, Florida. Comments due 11/18/2011.</p>	<a href="#">KSC</a> should review this list for potential impacts to water discharges.
FL102111-4	Water SJRWMD	10/21/2011	<a href="#">FAW Notice #10541589</a>	Notice Meeting	<p>St. Johns River Water Management District</p> <p>Governing Board Meeting</p> <p>Announces a meeting to discuss regulatory and non-regulatory matters. <a href="#">Agenda</a> to be posted before the meeting. Meeting is scheduled for 11/08/2011 in Palatka, Florida.</p>	
FL102111-5	Water SJRWMD- Permits and Forms	10/21/2011	<a href="#">FAW Notice #10544305</a>	Notice Hearing	<p>St. Johns River Water Management District</p> <p>Permitting of Consumptive Uses of Water [Chapter 40C-2.101, 40C-2.331, 40C-2.381, 40C-2.501, and 40C-2.900, F.A.C.]</p> <p>Announces a public hearing to discuss adoption of amendments to Rule 40C-2, regarding CUP Streamlining. FDEP will consider amendments included in the <a href="#">Notice of Proposed Rule</a>. Public hearing is scheduled for 11/08/2011 in Palatka, Florida.</p>	
FL102111-6	Water TMDLs	10/14/2011	<a href="#">FAW Notice #10509385</a>	Notice Meeting	<p>Department of Environmental Protection</p> <p>Central Indian River Lagoon Basin Management Action Plan</p> <p>Announces a meeting to discuss reductions in total nitrogen and total phosphorus from water quality improvement projects related to the Central Indian River Lagoon Basin Management Action Plan. Meeting is scheduled for 10/27/2011 in Vero Beach, Florida.</p>	
FL102111-7	Water Workgroups	10/14/2011	<a href="#">FAW Notice #10494544</a>	Notice Meeting	<p>Department of Environmental Protection</p> <p>Florida Water Resources Monitoring Council Workgroups</p> <p>Announces teleconferences for the following FWRMC workgroups:</p> <ul style="list-style-type: none"> <li>▪ 10/26/2011 - Monitoring Catalog Workgroup scheduled to: <ul style="list-style-type: none"> <li>▪ Review existing online monitoring catalogs and data atlases</li> <li>▪ Discuss monitoring catalog effort path forward</li> </ul> </li> <li>▪ 10/26/2011 - Salinity Network Workgroup scheduled to discuss needs for establishing a statewide groundwater salinity network.</li> <li>▪ 11/08/2011 - Action Plan Review Workgroup scheduled to: <ul style="list-style-type: none"> <li>▪ Review the existing action plan</li> <li>▪ Discuss proposed revisions to action items</li> </ul> </li> <li>▪ 11/16/2011 - Statewide Florida Water Resources Monitoring Council scheduled to review updates and discussion of the workgroup's tasks.</li> </ul> <p>Teleconference information is available in the meeting <a href="#">notice</a>.</p>	

## 2.4 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA102111-1	Air	10/20/2011	<a href="#">LDEQ Website-AQ319</a>	Final Rule	<p>Louisiana Department of Environmental Quality</p> <p>2010 Annual Incorporation by Reference of Certain Federal Air Quality Regulations [LAC 33:III.507.B.2. 2160.A, 3003. 5116.A, 5311.A, and 5901.A]</p> <p>Incorporates by reference the following federal air quality regulations, into LAC 33:Part III:</p> <ul style="list-style-type: none"> <li>40 CFR Part 51, Appendix M, Capture Efficiency Test Procedures</li> <li>40 CFR Part 60, New Source Performance Standards</li> <li>40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants</li> <li>40 CFR Part 63, NESHAP for Source Categories</li> <li>40 CFR Part 68, Chemical Accident Prevention and Minimization of Consequences</li> <li>40 CFR Part 70.6(a), Standard Permit Requirements</li> <li>40 CFR Part 96, NO<sub>x</sub> Budget Trading Program and CAIR NO<sub>x</sub> and SO<sub>2</sub> Trading Programs for State Implementation Plans</li> </ul> <p>Effective 10/20/2011.</p>	

## 2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Maryland. Beginning 7 October 2011, the *Maryland Register* is no longer posting current versions of the register on its website on the date of publication, but will now delay posting for at least 1 week or longer. Information listed in the following table from the *Maryland Register* might not immediately be available online for review. The *Maryland Register* will continue to maintain web postings of the eight most recent .pdf versions of the register on its website for a limited time.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD102111-1	Air SIP-Coatings	10/17/2011	<a href="#">76 FR 64020</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland: Adoption of Plastic Parts and Business Machines Coating Standards [40 CFR Part 52].</p> <p>Approves Maryland's SIP revision for adoption of the CTG standard for plastic parts and business machine coatings. Revisions include the following:</p> <ul style="list-style-type: none"> <li>Admission limits and coating standards for plastic parts and business machine coatings</li> <li>New regulations for plastic parts and business machine coatings</li> <li>New definitions and application methods</li> </ul> <p>Effective 11/16/2011.</p>	<a href="#">GSFC</a> should be aware of this action.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD102111-2	Air SIP-VOC	10/18/2011	<a href="#">76 FR 64237</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adhesives and Sealants Rule [40 CFR Part 52].</p> <p>Approves Maryland's SIP revisions related to VOC emissions from the following industries:</p> <ul style="list-style-type: none"> <li>Chemical production and polytetrafluoroethylene operations</li> <li>Paint, resin, and adhesive manufacturing</li> <li>Adhesive and sealant application</li> </ul> <p>Revisions include the following:</p> <ul style="list-style-type: none"> <li>Standards for adhesives, sealants, adhesive primers, and sealant primer application</li> <li>Standards for cleanup solvents</li> <li>VOC limits for surface preparation solvents</li> <li>Alternative add-on control system requirements</li> <li>Exemptions for certain operations</li> <li>Simplified record-keeping</li> <li>Storage requirements</li> <li>Content limits</li> </ul> <p>Revisions will accomplish the following:</p> <ul style="list-style-type: none"> <li>Add definitions for specialty electronic systems and subsystems for defense and homeland security</li> <li>Set a RACT emission limit for specialty electronic systems and subsystems for defense and homeland security</li> <li>Limit VOC emissions from adhesive and sealant applications</li> </ul> <p>Effective 11/17/2011.</p>	GSFC should be aware of this action.
MD102111-3	Air VOCs	10/21/2011	<a href="#">38:22 Md.R. 1347</a>	Final Rule	<p>Department of the Environment</p> <p>Volatile Organic Compounds from Specific Processes [COMAR 26.11.19]</p> <p>Incorporates federal CTG for lithographic and letterpress printing into state regulations for control of VOCs. The current CTG provides VOC reduction recommendations from the use of fountain solutions, cleaning materials, and inks in lithographic or letterpress printing operations. Effective 10/31/2011.</p>	
MD102111-4	Occupational Safety Elevators	10/07/2011	<a href="#">38:21 Md.R. 1292</a>	Proposed Rule	<p>Department of Labor, Licensing, and Regulation</p> <p>Elevator, Escalator, and Chairlift Safety [COMAR 09.12.81.01]</p> <p>Proposes to amend the rules to require that elevator units comply with the version of the ASME A17.1 Safety Code, as adopted and amended by the Commissioner of Labor and Industry, to be in effect when they are newly installed or altered. Comments due 11/07/2011.</p>	

## 2.6 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

## 2.7 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of New Mexico.



## 2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH102111-1-	Air Permitting	10/11/2011	<a href="#">Public Notice</a>	Notice	Division of Air Pollution Control, Ohio Environmental Protection Agency Approved Permission for Open Burning OAC Chapter 3745-19: NASA Plum Brook Station Announces approval to burn approximately 300 acres for range and wildlife management practices at Plum Brook Station. Effective 10/11/2011.	<a href="#">Plum Brook Station</a> should be aware of this action.
OH102111-2	Air SERC	10/19/2011	<a href="#">DAPC Website-What's New</a>	Final Rule	Division of Air Quality, Ohio Environmental Protection Agency Adoption of Amended State Emergency Response Commission Rules [OAC 3750] Finalizes revisions to the SERC rules to make the regulations consistent with and equivalent in scope, content, and coverage with EPCRA. Further details, including the <a href="#">rule language</a> and <a href="#">public notice</a> , are located on the OEPA <a href="#">website</a> . Effective 10/29/2011.	
OH102111-3	Air SIP-Lead	10/13/2011	<a href="#">DAPC Website-What's New</a>	Notice	Division of Air Quality, Ohio Environmental Protection Agency Submittal of Infrastructure State Implementation Plan for Lead to U.S. Environmental Protection Agency Announces the submittal to EPA requesting approval for the <a href="#">Lead Infrastructure State Implementation Plan for the State of Ohio</a> . This document confirms that OEPA continues to retain the resources necessary to do the following: <ul style="list-style-type: none"> <li>Evaluate ambient air quality</li> <li>Develop plans to attain new and existing ambient air quality standards</li> <li>Run a complete new source review program</li> <li>Effectively enforce applicable requirements</li> </ul>	
OH102111-4	Water NPDES-Pesticide Application	10/18/2011	<a href="#">DSW Website-What's New</a>	Notice	Division of Surface Water, Ohio Environmental Protection Agency Final National Pollutant Discharge Elimination System General Permit-Pesticide Application Discharges Announces availability of the Final NPDES General Permit for Pesticide Application Discharges. This permit is available for discharges to surface waters of the state, or above or near surface waters of the state, from the application of biological pesticides and chemical pesticides that leave a residue for the following pesticide use patterns: <ul style="list-style-type: none"> <li>Mosquito and other aquatic nuisance insect control</li> <li>Weed and algae control</li> <li>Forest canopy pest control</li> <li>Nuisance animal control</li> <li>Intrusive vegetation control</li> <li>Invasive Plant Management in Resource Conservation Areas and Mitigation Areas</li> </ul> Further details regarding the <a href="#">General Permit</a> , including the <a href="#">response to comments</a> and <a href="#">fact sheet</a> , are available on the OEPA <a href="#">website</a> . Effective 10/31/2011.	

## 2.9 Texas State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Texas.

## 2.10 Utah State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Utah.

## 2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Virginia.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA102111-1	Air Bioenergy	10/10/2011	<a href="#">28:3 VA.R. 167</a>	Final Rule	Virginia Department of Environmental Quality State Air Pollution Control Board  Permits for Stationary Sources of Pollutants Subject to Regulation (Revision E11) [9 VAC 5-85]  Defers for 3 years the application of PSD and Title V permitting requirements to CO <sub>2</sub> emissions from bioenergy, until EPA has conducted an evaluation of bioenergy. Effective 11/09/2011.	
VA102111-2	Air SIP-Ozone and NAAQS	10/11/2011	<a href="#">76 FR 62635</a>	Final Rule	U.S. Environmental Protection Agency  Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Section 110(a)(2) Infrastructure Requirements for the 1997 8-hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [40 CFR Part 52]  Approves changes to Virginia's SIP necessary to implement, maintain, and enforce the 1997 8-hour ozone and PM <sub>2.5</sub> NAAQS and the 2006 PM <sub>2.5</sub> NAAQS. Effective 11/10/2011.	
VA102111-3	Air SIP-SO <sub>2</sub>	10/14/2011	<a href="#">76 FR 63859</a>	Proposed Rule	U.S. Environmental Protection Agency  Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Virginia's Regulation Regarding the Sulfur Dioxide National Ambient Air Quality Standard [40 CFR Part 52]  Proposes to approve amendments of Virginia's regulation regarding the 1-hour primary NAAQS for SO <sub>2</sub> . Comments due 11/14/2011.	
VA102111-4	Safety Danger Zone	10/11/2011	<a href="#">76 FR 62692</a>	Proposed Rule	Department of Defense, Department of the Army, Corps of Engineers  Atlantic Ocean off Wallops Island and Chincoteague Inlet, Virginia; Danger Zone  Proposes to increase the danger zone around WFF to 30 nautical miles. Comments due 11/10/2011.	<b>WFF</b> should be aware of this proposed rule.